



January 10, 2024

Subject: Item B1, Conditional Use Permit, 825 S Sierra Ave, Del Mar Beach Club HOA

Honorable Mayor, Deputy Mayor, and City Councilmembers,

I am writing on behalf of the San Diego Chapter of the Surfrider Foundation to ask some questions about the proposed CUP for 825 S Sierra Ave, Del Mar Beach Club HOA.

First, several previous permits are referenced in the staff report:

- The existing condominium complex was constructed in the early 1970's prior to the enactment of the Coastal Act.
- In 1980, the 540 foot long, 15-foot-high lower bluff seawall was constructed with the approval of the California Coastal Commission (CCC).
- In 1984, deeper foundation footings and backfill were approved because the existing wall had become undermined by the loss of sand. In 1989, a 40-foot long, 15-foot high, mid-bluff retaining wall and the installation of 29, 18-inch drilled piers was constructed to underpin the southwest corner of the condominium structure.
- In March of 2001, the City and the CCC approved the installation of five, 36-inch diameter drilled piers ranging from 28 to 70 feet deep perpendicular to the beach below in the southwest corner of the condominium complex. With each project, it was determined that the existing condominium complex or the shoreline structure was threatened and that the proposed construction measures were necessary to protect the complex. As a condition of approval for the 2001 project, the Applicant paid and in-lieu sand replenishment fee as the work extended the life of the seawall for approximately 30 years.

However, insufficient information concerning the exact permit dates and permit numbers was provided, so it's difficult to find the actual original permits. This is

important as it is key to know if any conditions on the development or its seawall were placed as part of those permits. Does city staff have access to the original permits? If not, we believe this application should be postponed until the exact permits are provided to confirm no conditions were previously placed that would preclude this proposed development. If city staff does have those permits, they should have been provided as part of the staff report.

Second, per the information about the 2001 permit that was supplied, we may be able to infer that it was understood this permit would extend the lifetime of the 1989 seawall by 30 years, given fees were paid for 30 years. The expiration of that permit is coming up in 2031. The staff report update #2 estimates the required Public Recreation Impact Fee and Sand Mitigation Fee for the proposed repair and maintenance on the southern 170-feet of the 540-foot-long lower seawall for a 20-year mitigation period as required by the LCP/LUP.

The Public Recreation Impact Fee would be: \$ 205,700.00. and the Sand Mitigation Fee would be: \$ 47,458.33. Total: \$ 253,158.33

Does this mean that these repairs are going to extend the lifetime of this seawall by an additional 20 years? If so, is it really appropriate to call this 'maintenance and repair'? 20 additional years is awfully long to extend a seawall if they are just doing maintenance.

Third, as the Del Mar Beach Club is coming in for a new permit for its seawall that is almost 40 years old at this point, the city of Solana Beach should take this as an opportunity to improve public beach access. There is a public easement to the immediate south of the Del Mar Beach Club (in red rectangle). A public access to the private stairs could be added from this easement.



This is consistent with the City's LCP Policy 2.60:

"No new private beach stairways shall be constructed, and private beach stairways shall be phased out at the end of the economic life of the stairways. Existing permitted or private beach stairways constructed prior to the Coastal Act may be maintained in good condition with a CDP where required, but shall not be expanded in size or function. Routine repair and maintenance shall not include the replacement of the stairway or any significant portion of greater than 50% of the stairway cumulatively over time from the date of LUP certification." (emphasis added)



Without more detailed permit history, it is currently not known when the stairs were constructed, and it's safe to assume that safety and security of the stairs rely on this 40-year-old seawall. By further extending the life of this seawall, the life of the private stairs will also be extended. We are not requesting that the private stairs be removed; a gate could be placed at the junction of the private and public stairways so that only residents of the HOA may access the HOA, and the public can access the existing public easement.

Lastly, do the retreat rates cited in these geotechnical reports correlate with retreat rates reported by the numerous developments that have proposed to the immediate south of Del Mar Beach Club? We know the city has been concerned about

developments proposed in Del Mar on that vacant lot, so it's worth confirming that the retreat rates agree.

Sincerely,
Kristin Brinner
Resident of Solana Beach
Co-lead, Beach Preservation Committee
Surfrider San Diego